UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

NAACP HOUSTON BRANCH

and Case 16-CA-027783

TRACIE JACKSON

CORRECTED ORDER

The Respondent's Motion to File Brief and Exceptions Outside of Deadline is denied. The reasons for the late filing do not rise to the level of excusable neglect. See *R.M. Shoemaker* Co., 332 NLRB 1340 (2000).

MARK GASTON PEARCE CHAIRMAN

SHARON BLOCK MEMBER

Member Flynn, dissenting;

Applying the factors articulated by the Supreme Court in *Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership*, 507 U.S. 380, 395 (1993), I would grant the motion and accept the brief and exceptions, finding "excusable neglect" under the specific circumstances presented.

TERENCE F. FLYNN MEMBER

Dated, Washington, D.C., April 27, 2012.